

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-129

Judge:

Complainant:

ORDER

July 31, 2019

The Complainant alleged a superior court judge failed to timely rule on post-conviction matters.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

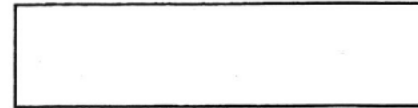
Commission members Diane M. Johnsen and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on July 31, 2019.

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY



COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

① I filed for Post Conviction Relief in _____ To date, Judge has NOT assigned me legal counsel as required by Rule 32.4(c)(2)

② I've filed [4]- Motions to file criminal charges against State Prosecutor

(*) [1]- Motion to Compel Disclosure

(*) [1]- Motion: Perjury charges against States Witness

(A)- I've received NO remitted copies (per Certificate of Service)

(B)- I've received NO rulings in re ANY of these motions

I've filed these claims as far back as _____ The Court informed me "

" Judge is not allowing me the right to file for " or for " or to Appeal to a higher court by withholding " "

③ These (over) criminal charges would have been part of the (colorable) claims in my yet without legal counsel (OVERDUE) I cannot have these claims ruled on. This is prolonging my rights to excessively,

④ Judge is considered a: "in Conspiracy charges filed:

See: EXHIBIT- ;"

"()

⑤ Judge is, through his actions, is " (pursuant to A.R.S. §13-2512) [Formal charges forthcoming]

See: EXHIBIT- ;"

Office
Department

EXHIBIT-1

State of Arizona

vs.

Defendant

NOTICE FOR OFFICE
TO FILE (3) COUNTS OF CONSPIRACY
(pursuant to A.R.S. §13-1003)

I, _____ moves the Office to file these three
counts of Conspiracy against: 1)- State Prosecutor
2)- States Witness and _____
3)- States Witness _____

for: CONSPIRACY TO ILLEGALLY CONVICT OF _____

A conspiracy to [illegally] convict _____ of _____ was
successfully orchestrated by the above-three perpetrators by withholding
exculpatory evidence, soliciting false testimony and committing multiple
counts of perjury, causing irreparable harm and resulting in the wrongful
conviction of defendant _____

Probable cause for arrest(s) on
these charged offenses based on the following memorandum of points
and authorities.

DATED this _____ day of _____

MEMORANDUM OF POINTS AND AUTHORITIES

CONSPIRACY (pursuant to A.R.S. 913-1003) is defined as two or more persons, working together to commit an illegal act. In this cause, the illegal act was:

► CONSPIRACY TO ILLEGALLY CONVICT MR. _____

OF _____

This writ (to be used as)

"I will show the following:

► 1.)-- STATE PROSECUTOR,

was the major contributor to this conspiracy

by: (a) withholding exculpatory evidence; (b) tampering with a public record; (c) soliciting false testimony from at least _____ of the states [primary] witnesses; and (d) himself committing multiple acts of perjury to achieve his part in this conspiracy.

► 2.)-- STATES"

committed multiple acts of perjury (with

the direction of Mr. _____

) to achieve her part in this conspiracy.

► 3.)-- STATES"

committed perjury at Evidentiary

Hearing (with the direction of Mr. _____

) to achieve his part in this conspiracy.

Individually, and accumulatively, [false]"

"was presented to the court

and jury to achieve a "

"verdict against defendant, Mr. _____

□-NOTE- Previously sent to the _____

were _____

EXHIBITS with writ titled:

" These EXHIBITS are as follows:

► EXHIBIT-1: MOTION FOR SANCTIONS TO FILE WRITTEN ORDER OF CRIMINAL CONTEMPT

► EXHIBIT-2: MOTION TO COMPEL DISCLOSURE

► EXHIBIT-3: MOTION FOR SANCTIONS TO FILE CRIMINAL CHARGES OF WITNESS TAMPERING

► EXHIBIT-4: MOTION FOR COURT TO FILE CRIMINAL CHARGES OF PERJURY

► EXHIBIT-5: MOTION FOR COURT TO FILE CRIMINAL CHARGES OF PERJURY

► EXHIBIT-6: MOTION FOR COURT TO FILE CRIMINAL CHARGES AGAINST STATE PROSECUTOR

This " will refer to the [same]"

and is meant to be an

addendum of charges to be added to the previous charges submitted for filing.

work schedule and text messages (illegally being withheld by

At Hearing (Mr. makes two important (and perjurious) claims. First, he states (in re text messages) that "

He also states "

• POINT-1: This is on the day was to testify; these " (defense evidence) disproving part of her statement.

• POINT-2: This is the same story he gave over earlier) where he states: "...

• POINT-3: Where he states: "... (on his paralegal) was told to send the printed text transcripts on to defense (which she did) therefore they were in Mr. possession when he claimed " (For more details,

SEE EXHIBIT-4, Counts I and III of Perjury)

During this argument ensues between Mr. and Mr. Mr. prevails, moving testimony date to and now Mr. will have " to debunk the " told by

In yet another act of perjury Mr. states: "

" Two points:

• POINT-1: Nowhere in interview does Ms. say this; she's POSITIVE day before...

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**